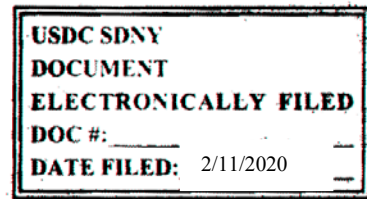


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
KEITH DREW,

Plaintiff,

18-CV-11709 (ALC)(SN)

-against-

ORDER

CITY OF NEW YORK, et al.,

Defendants.
-----X

SARAH NETBURN, United States Magistrate Judge:

Before the Court is Plaintiff's Notice of Motion (ECF No. 49), which Plaintiff has labeled, "Rule 36 Request for Admission," and in which Plaintiff seeks information from the Defendant in the form of responses to requests for admission.


A request for admission is a discovery device which may be served upon a party without leave from the Court. In this case, however, the close of fact discovery was December 2, 2019, with the limited exception that Plaintiff's deposition was to proceed before December 23, 2019. See ECF Nos. 37, 43. Therefore, Plaintiff's request, which the Court interprets as a request to extend discovery for the sole purpose of obtaining responses to his requests for admission, is untimely and DENIED.

Also before the Court is Defendant's letter request for a pre-motion conference (ECF No. 50). As Judge Carter does not require a pre-motion conference, the request is DENIED, and the Court ORDERS the following briefing schedule:

Defendant's motion for summary judgment shall be due March 9, 2020. Plaintiff's opposition shall be due April 9, 2020. Defendant's Reply, if any, shall be due April 23, 2020.

The Clerk of Court is respectfully directed to terminate the motions at ECF Nos. 49 and 50.

SO ORDERED.


SARAH NETBURN
United States Magistrate Judge

DATED: February 11, 2020
New York, New York

cc: Keith Drew (*By Chambers*)
19-A-3129
Midstate Correctional Facility, Box F
Red Schoolhouse Road
Fishkill, NY 12524-0445